

The celebration will begin with a tribute to Veterans that will include a special salute fly-over by F-16's from the 457th Fighter Squadron. The Mabank Band will present a patriotic concert and other Mabank Independent School District students will perform dances representative of various periods during the last century. There also will be a skit depicting the history of Mabank. Area churches will come together one evening for singing, and several groups, including the contemporary Christian band "Forty Days" will close the evening's events.

A carnival will run through the remainder of the week, and there will be an authentic representation of the Wild, Wild West, among other special events. Friday night the Mabank Panthers football team will take on their traditional rival, the Kemp Yellow Jackets. On Saturday, a parade commemorating the history of Mabank will begin at Mabank High School. The three acres adjacent to the new Pavilion and Rodeo Arena will be bustling with the carnival, a chili cook-off, classic and antique car show and an arts and crafts festival. Other activities include a quilting show and a domino tournament. Centennial week events will culminate with a concert starring Mark Chesnutt and Woody Lee as featured entertainers.

Mr. Speaker, centennial celebrations are important footnotes to our nation's history. We have much to be thankful for in our great nation, and I join the citizens of Mabank in celebrating the rich history of their hometown during their Centennial Celebration this year. I would have a difficult time in discussing Mabank and not remembering a great part of the bedrock of this city, county, state and nation—the late Andrew Gibbs. Space and time prevent me from listing his many contributions, and acts of kindness and friendship, but suffice it to say that he is missed by all who knew him. So as we adjourn today, let us do so by paying tribute to the Centennial Anniversary of Mabank, Texas, and to one of its most distinguished citizens, the late Andrew Gibbs.

JUSTICE FOR VICTIMS OF TERRORISM

SPEECH OF

HON. BILL MCCOLLUM

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 25, 2000

Mr. MCCOLLUM. Mr. Speaker, I rise in support of H.R. 3485, the Justice of Victims of Terrorism Act, which I introduced and which has strong bipartisan support in Congress. This bill amends law first passed in 1996 to allow justice for the victims of state sponsored terrorism and to hold terrorist states accountable for their conduct. Under current law, these victims are entitled to compensation out of frozen assets in the United States of the guilty terrorist state once the victim obtains a federal court judgment. Sadly, however, the Administration is denying these victims, such as Stephen Flatow, the Brothers to the Rescue families, Terry Anderson and the other victims of terrorism in Lebanon, the justice they deserve.

In response to the President's urging, Congress passed in April 1996 a provision in the

Anti-Terrorism and Effective Death Penalty Act [28 U.S.C. 1605(a)(7) and 1610(a)(7)] which gave victims of terrorist acts the ability to sue the state sponsors of those acts in federal court. This is one of seven exceptions to the jurisdictional immunity of a foreign state. The 1996 Anti-Terrorism Act also made an exception to U.S. sovereign immunity in order for such victims who are awarded judgments to proceed against the frozen, or blocked, commercial assets of that terrorist state that are held in trust by the United States government. The Act gave victims the ability to proceed against terrorist-owned assets regardless of whether those assets were involved in the terrorist act itself.

In October 1998, Congress passed Section 117 of the Fiscal Year 1999 Treasury Department Appropriations Act to clarify the assets of terrorist states available to victims of terrorism for attachment and execution of judgments. At the insistence of the Administration, however, that legislation gave the President a waiver to block the attachment of certain assets, if he deemed it to be in the interest of national security. Instead, the President exercised that waiver to essentially nullify the law and deny compensation out of frozen assets in every case to date.

H.R. 3485 remedies the Administration's failure to enforce the law in two ways. First, the bill amends the definition of "agency or instrumentality of a foreign state" to allow victims to proceed against assets that are majority owned by terrorist states. This gives victims a practical remedy in collection upon terrorist assets. Second, the bill narrows and clarifies the President's national security waiver to explicitly allow the President to protect diplomatic property, but not commercial assets.

I am concerned that the President has exercised what was intended to be a narrow national security waiver too broadly and contrary to the clear intention of Congress both in the 1996 Anti-Terrorism Act and particularly, in the FY99 Treasury Department Appropriations bill. In Section 117 of the FY 99 Appropriations bill, Congress intended a narrow waiver as interpreted in the case of *Alejandro v. Republic of Cuba*. Let me make it absolutely clear on top of any reading of past statements or reading of the Committee Report in relation to H.R. 3485 that the waiver is a narrow one, and this bill replaces that waiver with language that limits the President's power to protect only diplomatic property as defined under the Vienna Convention.

I am also concerned about the difficulty that victims of terrorism have had in executing against the blocked assets of terrorism sponsoring states because of the lack of information available from the foreign state. H.R. 3485 is intended to make it easier for victims to execute against these assets by clarifying that the victims are not required to meet additional hurdles of proof, including the alter-ego test or a showing of a daily control as has been applied based on the Supreme Court's 1983 decision in *Bancec*. Again, let me make it clear that H.R. 3485 eliminates any of these additional hurdles not intended to be imposed under Section 117, and instead allows for a showing of majority ownership by terrorist states.

The President and Administration officials encouraged victims to take terror states to

court under the 1996 Anti-Terrorism Act. Yet now, in contradiction to the President's words, the Administration refuses to allow compensation out of the frozen assets of terrorist states against whom judgment have been rendered. As a consequence, those who have committed acts of terror resulting in the death of American citizens are effectively going unpunished.

In addition to the Brothers to the Rescue families who suffer from Cuba's 1996 shutdown of civilian aircraft, this legislation assists two well-known victims of Iranian-sponsored terrorism. In a tragic case, the family of Alisa Flatow won a judgment against the government of Iran for its involvement in a bus bombing in Israel in April 1995 that took her life. Months after Stephen Flatow received his judgment in federal court, the President exercised the national security waiver to prevent the Flatow family from attaching Iranian assets in the United States. Another example is the horrific story of Terry Anderson, who as we all recall, was barbarically held in Beirut by terrorists sponsored by Iran for over seven years. Several months ago, Terry Anderson won a judgment against Iran and he now joins other former Iranian hostage sin seeking compensation and justice. Recently, the Eisenfeld and Duke families own a judgment for the murder in a bus bombing in Israel of their son and daughter, who were engaged to be married at the time. Also, Robin Higgins whose husband, U.S. Marine colonel, was brutally murdered by terrorists sponsored by Iran in Lebanon is currently in the process of seeking her judgment.

The Administration has used a variety of evolving arguments to deny these victims the justice they deserve. These arguments were presented before a Committee hearing in the other body, discussed in a hearing I chaired in the Subcommittee on Immigration and Claims, and enumerated in responses to questions I submitted to Treasury Deputy Secretary Stuart Eizenstat. I have considered the Administration's arguments and have determined, along with other colleagues of mine, they do not hold up.

I hope my colleagues on both sides of the aisle will support this important and necessary legislation to finally bring justice to the victims of terrorism and to deter terrorist acts against U.S. citizens by making those state sponsors of terrorism pay.

INTRODUCTION OF THE "VIOLENCE AGAINST WOMEN CIVIL RIGHTS RESTORATION ACT OF 2000"

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2000

Mr. CONYERS. Mr. Speaker, I am proud and honored today to be joined by Ms. BALDWIN, Ms. MALONEY and 40 other co-sponsors to introduce the "Violence Against Women Civil Rights Restoration Act of 2000."

The Violence Against Women Act of 1994, or "VAWA," was historic legislation that contained a broad array of laws and programs to address domestic violence and sexual assault in our country.

In addition to funding numerous programs such as law enforcement and prosecution

grants to combat violence against women, a National Domestic Violence Hotline, and battered women's shelters and services, VAWA created both civil and criminal causes of action to target domestic violence and sexual assault.

A few months ago, the Supreme Court struck down a provision of VAWA, which allowed victims of gender-motivated violence to sue their attackers in federal court. Importantly, that case, *United States v. Morrison*, did not affect the validity of the rest of VAWA, which is clearly constitutional.

But, *Morrison* is just the latest in a series of cases in which the Supreme Court has, in my view, improperly narrowed Congress' authority to legislate under the Commerce Clause.

The Court's 5-4 majority disregarded the mountain of evidence that Congress had amassed through four years of hearings, documenting the effects of violence against women on interstate commerce. The Court's majority substituted its own judgment for that of Congress—and this from supposedly "conservative" Justices who purport to defer to Congressional findings.

The *Morrison* decision vividly demonstrates the important role the next President will have in shaping the composition of the Supreme Court, and ensuring that the Court respect Congress' authority to protect the civil rights of our citizens.

In response to the *Morrison* decision, I am introducing the "Violence Against Women Civil Rights Restoration Act of 2000." This legislation will restore the ability of victims of gender-motivated violence to seek justice in federal court, where there is a connection to interstate commerce.

For example, a rape victim could bring a civil suit against her attacker in federal court where the attacker crosses a state line; if he uses a facility or instrumentality of interstate commerce—such as the roads, the telephone, or the Internet; or if he uses a gun, weapon, or drug that has traveled in interstate commerce. In addition, she could bring a case where the intent of the offense is to interfere with her participation in commercial or economic activity.

The bill also authorizes the Attorney General to prevent discrimination in the investigation and prosecution of gender-based crimes. This bill will ensure that all victims have fair and equal access to the courts.

I want to thank the domestic violence and sexual assault communities for their support of this legislation, especially NOW Legal Defense and Education fund, who defended Christy Brzonkala before the Supreme Court, and who has been instrumental in drafting this bill.

I look forward to working with the Majority, the Senate, and the White House to help pass this bill into law and restore the civil remedy for victims of gender-based violence.

TRIBUTE TO LT. COL. RICHARD F. BLANSETT, 174TH FIGHTER WING

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2000

Mr. WALSH. Mr. Speaker, on October 1, 2000 Lt. Col. Richard F. Blansett is retiring as

the comptroller for the 174th Fighter Wing of the New York Air National Guard located at Hancock Field in Syracuse, NY. He assumed the position of comptroller on October 1, 1989. In this capacity, he is responsible for the development and administration of the Wing's \$29 million annual budget as well as a variety of military personnel resources.

Lieutenant Colonel Blansett was born on December 25, 1944 in Watertown, NY and graduated from Watertown High School in June of 1962. He holds a bachelor of arts degree from Union College and a master of science degree in Human Resource Management from Chapman University.

Lieutenant Colonel Blansett began his military career as a traditional guardsman with the 174th Fighter Wing, enlisting as an administrative clerk assigned to the Fuels Branch in 1967. Since then, he has served the Wing in its Support Group Orderly Room, Supply Squadron Executive Support Office and Combat Support Squadron. He has served as Squadron Executive Support Officer, Squadron On-the-Job Administrator, Base Chief Career Counselor and Base Utilization Officer, rising in rank to staff sergeant, to second lieutenant and to captain.

In 1981, then Captain Blansett became a full-time member of the Guard as the Wing Logistics Plans Officer. In 1985, he was transferred to the Resources Squadron to serve as budget officer and cost analysis officer. He continued to be a leader in logistical deployments as the air cargo officer—a heavy additional duty that he maintains to date.

In 1989, then Major Blansett was assigned to his current position as comptroller. During Operation Desert Shield and Desert Storm in 1990-91, when the 174th Fighter Wing was deployed to the Persian Gulf, Major Blansett served as the acting Deputy Commander for Resources.

On September 19, 1993 Major Blansett was promoted to lieutenant colonel. Throughout his tenure in this position, Lieutenant Colonel Blansett implemented and managed a variety of programs at base level and has been instrumental in managing the evolution of financial management processes from paper to electronic systems. In his 11 years in this position, Lieutenant Colonel Blansett has maximized unit resources and played a crucial role in the improvement of Hancock Field's infrastructure.

He has served as chairman of the Comptroller Advisory Board for the entire Air National Guard and, most recently, has advised and assisted the 174th in its Aerospace Expeditionary Force Deployment Operation. He also has played a key role in shaping the first home-station Operational Readiness Inspection conducted by Air Combat Command.

During his time in service Lieutenant Colonel Blansett has received numerous medals and commendations. More importantly, he has earned the respect and admiration of the men and women who serve with him.

In addition to his work duties, Lieutenant Colonel Blansett has been actively involved in the Boy Scout organization, serving as both a scoutmaster and Explorer advisor. Lieutenant Colonel Blansett and his wife, Julie, have a son, Christopher, daughter-in-law, Jen, and daughter Kimberly, all of whom reside in the Syracuse area.

I take this opportunity to applaud and commend Lieutenant Colonel Blansett for his 30-plus years of service to the 174th Fighter Wing and wish him well as he conquers new challenges in retirement. We are all better off for his years of dedication and sacrifice.

25TH ANNIVERSARY OF THE HELSINKI FINAL ACT

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 27, 2000

Mr. SMITH of New Jersey. Mr. Speaker, next Tuesday marks the 25th anniversary of the signing of the Helsinki Final Act, which organized what has become known as the Helsinki or OSCE process, a critical venue in which the United States has sought to advance human rights, democracy and the rule of law. With its language on human rights, the Helsinki Final Act granted human rights of a fundamental principle in regulating international relations. The Final Act's emphasis on respect for human rights and fundamental freedoms is rooted in the recognition that the declaration of such rights affirms the inherent dignity of men and women and are not privileges bestowed at the whim of the state. The commitments are worth reading again. Among the many pages, allow me to quote from several of the documents:

In the Helsinki Final Act, the participating States commit to "respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, for all without distinction as to race, sex, language or religion."

In the 1990 Charter of Paris for a New Europe, the participating states declared, "Human rights and fundamental freedoms are the birthright of all human beings, are inalienable and are guaranteed by law. Their protection and promotion is the first responsibility of government."

In the 1991 Document of the Moscow Meeting of the Conference on the Human Dimension of the CSCE, the participating States "categorically and irrevocably declare[d] that the commitments undertaken in the field of the human dimension of the CSCE are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the States concerned."

In the 1990 Charter of Paris for a New Europe, the participating States committed themselves "to build, consolidate and strengthen democracy as the only system of government of our nations."

The 1999 Istanbul Charter for European Security and Istanbul Summit Declaration notes the particular challenges of ending violence against women and children as well as sexual exploitation and all forms of trafficking in human beings, strengthening efforts to combat corruption, eradicating torture, reinforcing efforts to end discrimination against Roma and Sinti, and promoting democracy and respect for human rights in Serbia.

Equally important, the standards of Helsinki, which served as a valuable lever in pressing